

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In re: :
: Chapter 7
Symbiont.io, LLC, :
Case No. 22-11620 (PB)
Debtor. :
----- X

**ORDER DENYING EMPLOYEE CREDITORS' MOTION TO LIFT
AUTOMATIC STAY AND CLARIFYING APPLICATION OF STAY AS TO
NON-DEBTOR THIRD PARTIES**

This matter having come before the Court on the motion (the “Motion”) by certain former employees of the Debtor (“Employee Creditors”) seeking the entry of an Order lifting the automatic stay pursuant to 11 U.S.C § 362(d)(1) in order for Creditor Employees to pursue their class arbitration claims against Symbiont.io, LLC (the “Debtor”) and its principal Mark Shelby Smith with Judicial Arbitration and Mediation Services (“JAMS”); and the Court having reviewed all submissions by the Parties; and the Court having held oral argument on September 7, 2023; and upon the record of such hearing; and for good cause otherwise having been shown

IT IS HEREBY ORDERED

1. The Employee Creditors’ motion to lift the automatic stay with respect to its claims against the Debtor is denied.
2. The automatic stay does not stay actions or claims against Mark Shelby Smith or any other non-debtor party, including the claims asserted against such parties in the pending JAMS arbitration proceedings.
3. This order is without prejudice to the Employee Creditors’ ability to seek further relief from this Court, such as a modification of the stay to permit discovery from the Debtor, if

and when a need for such relief arises in the ongoing JAMS arbitration proceedings against Mark Shelby Smith or other non-debtor parties.

Dated: September 14, 2023
New York, New York

/s/ Philip Bentley
Hon. Philip Bentley
United States Bankruptcy Judge